

Marroquin Evidence List

Gilbert and Enedina Marroquin, Tulare County
Administrative Civil Liability Complaint R5-2016-0551
4 November 2016 Hearing Panel

The following items are evidence for the hearing regarding Administrative Civil Liability Complaint R5-2016-0551. This matter is to be heard before a hearing panel of the Central Valley Water Board on 4 November 2016 in Fresno.

Exhibit	Title of Document	Location
1	Map of Parcels Subject to Complaint	Prosecution Team Exhibit 16
2	16 September 2015 Inspection Report	Attached
3	Calculation of Penalty per SWRCB Water Quality Enforcement Policy	Attached
4	Economic Benefit Calculation Prepared by Bryan Elder on 18 July 2016	Prosecution Team Exhibit 13
5	Crop Statements by Wonderful Pistachios for 2014 Pistachio Crop of Marroquins	Attached
6	Marroquins' 2014 federal and state tax returns	Attached but provided for <i>in camera</i> review only
7	Marroquins' 2013 federal and state tax returns	Attached but provided for <i>in camera</i> review only; NOT TO BE PRINTED
8	Marroquins' 2012 federal and state tax returns	Attached but provided for <i>in camera</i> review only; NOT TO BE PRINTED
9	Summary of Marroquins' Expenses from 2014 Timeframe	Attached
10	Backup Documentation for Expenses from 2014 Timeframe	Attached but provided for <i>in camera</i> review only; NOT TO BE PRINTED.
11	Individual Ability to Pay Claim Financial Data Request Form	Attached but provided for <i>in camera</i> review only
12	Notice of Intent to Obtain Regulatory Coverage dated 8/17/16 and receipt for payment	Attached
13	Kaweah Basin Water Quality Association Membership Application dated 8/10/16	Attached
14	Farm Evaluation form dated 8/10/16	Attached

Exhibit 1

(Prosecution Team Exhibit 16)

Exhibit 2

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

Irrigated Lands Regulatory Program Inspection Report

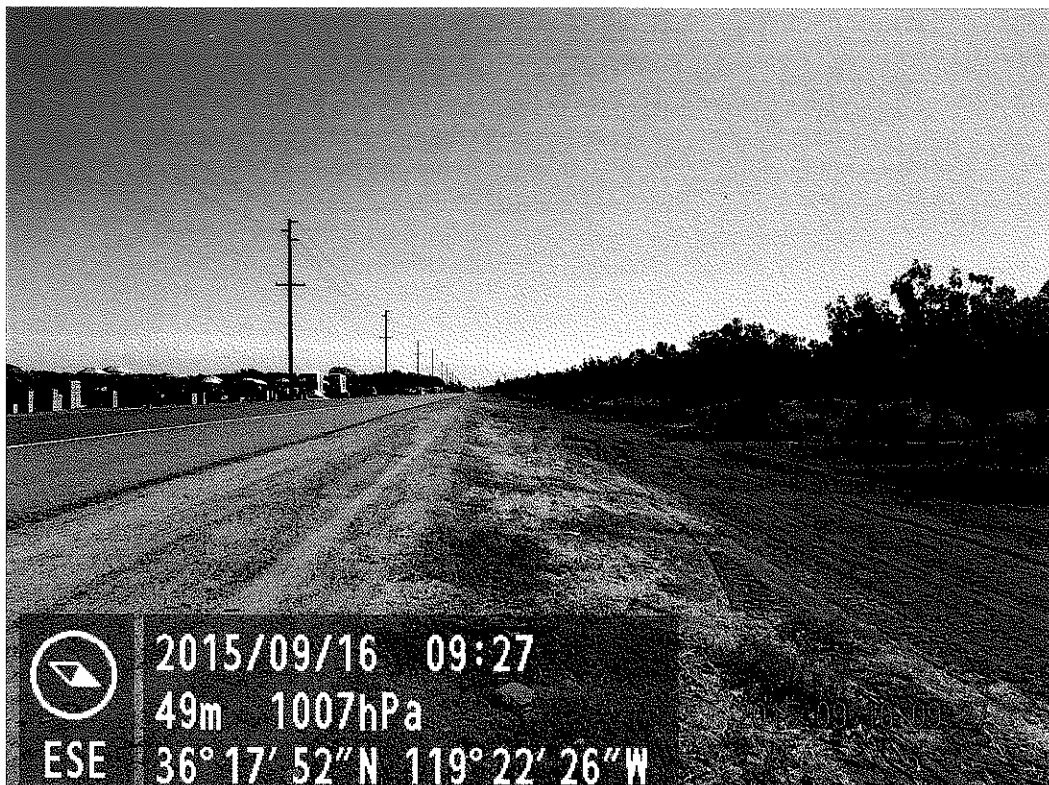
Ownership Information:

Owner(s):	Gilbert & Enedina Marroquin	Coalition:	KBWQA	County:	Tulare
Parcel Number:	119-110-012	Acres:	39.6	I.D. #	P1

Inspection Findings:

Date Inspected:	9/16/2015
Inspected By:	PAB/RKW
Type of Inspection:	Field
Results:	Commercially Irrigated Agriculture
Crop type:	Pistachios
Irrigation Method:	Drip
Other/Notes:	Parcel is generally lower than the road. Canal that runs along east and south side of parcel has elevated bank 2-3 feet above field level. No drainage pipes or other features that would facilitate discharge into canal. No signs of discharge.

Inspection Photo:



CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

Irrigated Lands Regulatory Program Inspection Report

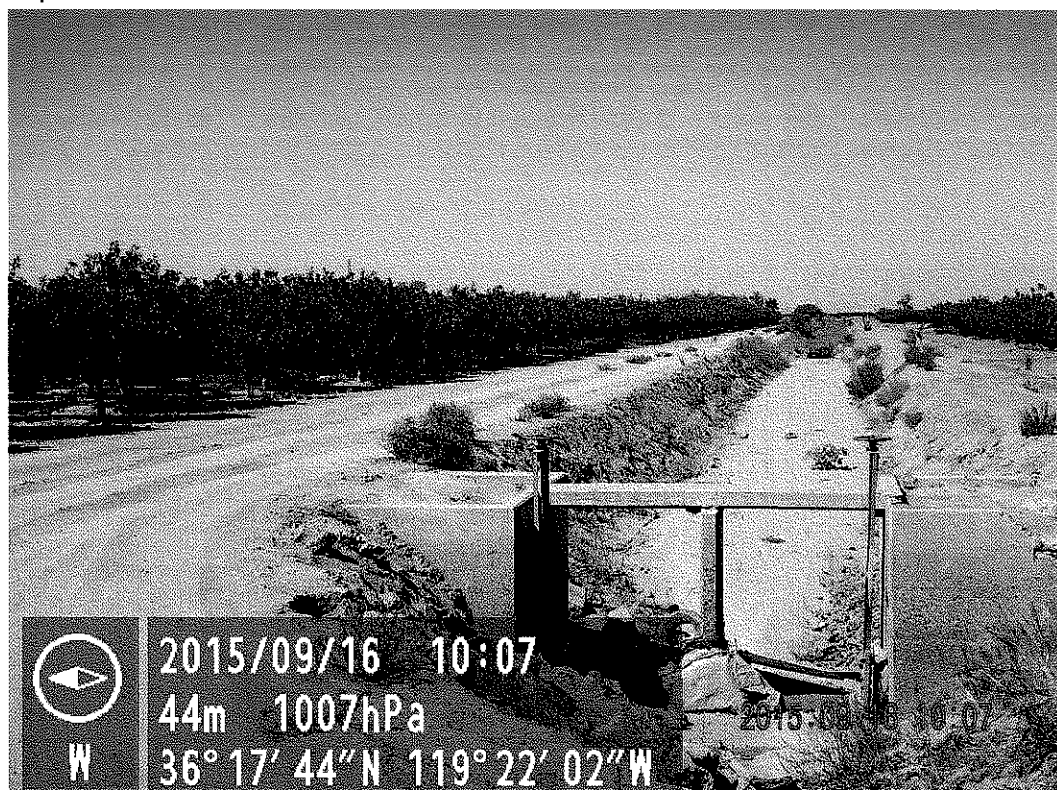
Ownership Information:

Owner(s):	Gilbert & Enedina Marroquin	Coalition:	KBWQA	County:	Tulare
Parcel Number:	119-110-013	Acres:	39.6	I.D. #	P2

Inspection Findings:

Date Inspected:	9/16/2015
Inspected By:	PAB/RKW
Type of Inspection:	Field
Results:	Commercially Irrigated Agriculture
Crop type:	Pistachios
Irrigation Method:	Drip
Other/Notes:	Parcel appears to be lower than road that runs along the eastern edge of the property. Canal that runs along northern edge of parcel has an elevated bank of 2-3 feet. No visible drainage pipes or features that would facilitate discharge into canal. No visible signs of discharge.

Inspection Photo:



W

2015/09/16 10:07
44m 1007hPa
36° 17' 44" N 119° 22' 02" W

Exhibit 3

Calculation of Penalty per SWRCB Water Quality Enforcement Policy

The proposed administrative civil liability was derived following the State Water Resources Control Board's Water Quality Enforcement Policy (Enforcement Policy). The proposed administrative civil liability takes into account such factors as the Dischargers' culpability, history of violations, ability to pay and continue in business, and other factors as justice may require.

Each factor of the Enforcement Policy and its corresponding score for the violation is presented below:

Step1. Potential for Harm for Discharge Violations

This step is not applicable.

Step 2. Assessment for Discharge Violations

This step is not applicable.

Step 3. Per Day Assessment for Non-Discharge Violations

The "per day" factor is calculated for each non-discharge violation considering the potential for harm and the extent of the deviation from the applicable requirements.

Potential for Harm

The Enforcement Policy requires a determination of whether the characteristics of the violations resulted in a minor, moderate, or major potential for harm or threat to beneficial uses.

Staff determined that the potential for harm is moderate, because the characteristics of the violation present a substantial threat to beneficial uses, and the circumstances of the violation indicate a substantial potential for harm.

The Dischargers failed to submit a Report of Waste Discharge (RoWD) or enroll under an applicable General Order for discharges from irrigated cropland despite evidence that the Dischargers own such cropland. Irrigated cropland can be a source of sediment, pesticide residue, nitrate, and other waste discharged to the waters of the state. Unregulated discharges of such wastes can present a substantial threat to beneficial uses and/or indicate a substantial potential for harm to beneficial uses.

By failing to file a RoWD or to enroll under an applicable General Order, the Dischargers undermined the regulatory program. Dischargers regulated under an applicable General Order either conduct monitoring or contribute to monitoring efforts to identify water quality problems associated with their operations. In addition, dischargers report on the practices in which they engage to protect water quality. By failing to provide that information, the Dischargers impaired the Central Valley Water Board's efforts to assess potential impacts and risks to water quality, and circumvented the Central Valley Water Board's ability to take necessary enforcement actions to address problems.

Additionally, the regulatory program is compromised when staff resources are directed to bringing dischargers into compliance rather than being available for outreach and assistance with regulatory compliance. Since the violation thwarts the Board's ability to identify water quality risks, the violation has the potential to exacerbate the presence and accumulation of, and the related risks associated with, pollutants of concern. This, in turn, presents a threat to beneficial uses and indicates a substantial potential for harm.

Deviation from Requirement

The Enforcement Policy requires determination of whether the violation represents either a minor, moderate, or major deviation from the applicable requirements.

The deviation from the requirement is major. The Dischargers have disregarded the regulatory requirements and rendered those requirements ineffective. The Dischargers undermined the efforts of the Central Valley Waters Board's Irrigated Lands Regulatory Program by disregarding the requirement to obtain the appropriate regulatory coverage for their waste discharges. A discharger's regulatory coverage is foundational to the Board's efforts to protect water quality. The Orders adopted by the Board specify the expectations and requirements for water quality protection, which do not apply until a discharger is covered by an appropriate Order. The requirements in the applicable Orders are rendered ineffective when a discharger has not gone through the process of becoming subject to the Order.

Table 3 of the Enforcement Policy prescribes a per day factor ranging from 0.40 to 0.70 for those violations in which the potential for harm is moderate and the deviation from the requirement is major. Based on the above factors, a per day factor of 0.55 is appropriate (see Table 3 on pg. 16 of the Enforcement Policy).

Multiple Day Violations: On 18 December 2014, the Assistant Executive Officer of the Central Valley Water Board issued a Water Code section 13260 Directive Letter (Directive) to the Dischargers, which required the Discharger to obtain regulatory coverage within 15 calendar days or face a potential administrative civil liability. The Directive was received by the Dischargers on 26 December 2014. Thus, regulatory coverage was required by 6 January 2015. The Dischargers have yet to obtain regulatory coverage and are 582 days late in meeting the regulatory requirements as of the date of this ACL Complaint.

Violations under Water Code section 13261 are assessed on a per day basis. However, the violations at issue qualify for the alternative approach to penalty calculation under the Enforcement Policy (page 18). Under that approach, for violations that last more than thirty (30) days, the daily assessment can be less than the calculated daily assessment, provided that it is no less than the per day economic benefit, if any, resulting from the violation. For these cases, the Central Valley Water Board must make express findings that the violation: (1) is not causing daily detrimental impacts to the environment or the regulatory program; or (2) results in no economic benefit from the illegal conduct that can be measured on a daily basis; or (3) occurred without the knowledge or control of the violator, who therefore did not take action to

mitigate or eliminate the violation. If one of these findings is made, an alternate approach to penalty calculation for multiple day violations may be used.

Here, the Central Valley Water Board finds that the Dischargers' failure to submit a RoWD or NOI is not causing daily detrimental impacts to the environment or the regulatory program. There is no evidence that the Dischargers' failure to submit a RoWD or NOI has detrimentally impacted the environment on a daily basis, since obtaining regulatory coverage does not result in an immediate evaluation of, or changes in, practices that could be impacting water quality. There is no daily detrimental impact to the regulatory program because information that would have been provided by the Dischargers pursuant to the regulatory requirements would have been provided on an intermittent, rather than daily basis.

Moreover, the Dischargers' failure to submit a RoWD or NOI results in no economic benefit that can be measured on a daily basis. Rather, the economic benefit here is associated with costs of permit fees, groundwater monitoring, and preparing an Annual Monitoring Report, which are outlined below.

Either of the above findings justifies use of the alternate approach to penalty calculation for multiple day violations. The minimum number of days of violation to be assessed in this case under the alternate approach is 25. However, because this amount does not result in a sufficient deterrent, the days of violation are increased to 28.

Initial Liability Amount

The initial liability amount for the violation calculated on a per-day basis is as follows:

$$\$1,000/\text{day} \times 28 \text{ days} \times 0.55 = \$15,400$$

Step 4. Adjustment Factors

There are three additional factors to be considered for modification of the amount of initial liability: the violator's culpability, efforts to clean up or cooperate with regulatory authority, and the violator's history of violations. After each of these factors is considered for the violations involved, the applicable factor should be multiplied by the proposed amount for each violation to determine the revised amount for that violation.

a) Culpability: 1.3

Higher liabilities should result from intentional or negligent violations as opposed to accidental violations. A multiplier between 0.5 and 1.5 is to be used, with a higher multiplier for intentional or negligent behavior. The Dischargers were given the score of 1.3, which increases the fine. Central Valley Water Board staff sent notices on 21 May 2014 and 30 June 2014 to the Dischargers describing the new water quality regulations and the required actions to comply therewith. The Dischargers also received a Directive and Notice of Violation requiring the Dischargers to obtain coverage. On 22 December 2014, Gilbert Marroquin called Board staff after receiving the Directive and was given information about the Irrigated Land Regulatory Program and the phone number for the Coalition.

Despite knowledge of the regulatory requirements, the Dischargers failed to come into compliance. The four notices and failure to respond suggest the Dischargers acted intentionally, or at least negligently, in ignoring the requirement to obtain regulatory coverage, resulting in a multiplying factor of 1.3.

b) *Cleanup and Cooperation*: 1.5

This factor reflects the extent to which a discharger voluntarily cooperated in returning to compliance and correcting environmental damage. A multiplier between 0.75 and 1.5 is to be used, with a higher multiplier when there is a lack of cooperation. The Dischargers were given the score of 1.5. The Central Valley Water Board issued the Dischargers a Notice of Violation in an effort to allow the Dischargers to address the violation prior to the issuance of a complaint. The Dischargers did not respond and cooperate with the Central Valley Water Board despite being awarded ample time in which to do so. Despite opportunities to come into compliance, the Dischargers did not make any attempt to cooperate with the Central Valley Water Board. Cleanup is not applicable in this case.

c) *History of Violations*: 1.0

When there is a history of repeat violations, the Enforcement Policy requires a minimum multiplier of 1.1 to be used. The Dischargers were given the score of 1.0, as there is no evidence that the Discharger have a history of violations.

Step 5. Determination of Total Base Liability Amount

The Total Base Liability is determined by applying the adjustment factors from Step 4 to the Initial Liability Amount determined in Step 3.

a) *Total Base Liability Amount*: **\$30,030**. (Initial Liability (\$15,400) x Adjustments (1.3)(1.5)(1.0)).

Step 6. Ability to Pay and Continue in Business

As per the Enforcement Policy, "[t]he ability of a discharger to pay an ACL is determined by its revenues and assets." The Dischargers have the ability to pay the Base Liability Amount based on the value of the Dischargers property and estimated revenues for their crop. According to the Tulare County Assessor's Office, the two parcels owned by the Dischargers are a significant asset with a 2014-2015 assessed value of \$1,184,174. Revenue generated from the Discharger's ownership of approximately 79 acres of pistachios yielded an estimated \$616,873 in revenue in 2014¹ according to the Tulare Agricultural Commissioner's 2014 Annual Crop Report on Agriculture. Thus, the Dischargers have the ability to pay the proposed administrative civil liability based on their revenue and assets and there are no factors under this category that warrant an adjustment.

¹ Information provided by the 2014 Tulare County Agricultural Crop Report, available at <http://agcomm.co.tulare.ca.us/default/index.cfm/standards-and-quarantine/crop-reports1/crop-reports-2011-2020/2014-crop-report/>.

Step 7. Other Factors as Justice May Require

If the Central Valley Water Board believes that the amount determined using the above factors is inappropriate, the amount may be adjusted under the provision for "other factors as justice may require" but only if express findings are made.

The costs of investigation and enforcement are "other factors as justice may require", and could be added to the liability amount. The Central Valley Water Board Prosecution Team has incurred a significant amount of staff costs associated with the investigation and enforcement of the violations alleged herein. While staff costs could be added to the penalty, the Prosecution Team, in its discretion, is electing not to pursue staff costs in this matter.

There are no factors under this category that warrant an adjustment.

Step 8. Economic Benefit²

Economic Benefit: \$5,678

The economic benefit of noncompliance is any savings or monetary gain derived from the act or omission that constitutes the violation. Economic benefit was calculated using the United States Environmental Protection Agency's (US EPA) Economic Benefit Model (BEN)³ penalty and financial modeling program, version 5.6.0. BEN calculates a discharger's monetary interest earned from delaying or avoiding compliance with environmental statutes.

The BEN model is the appropriate tool for estimating the economic benefit in this case. The benefit is calculated by identifying the regulation at issue, the appropriate compliance action, the date of noncompliance, the compliance date, and the penalty payment date.

Under the Irrigated Lands Regulatory Program, an individual may choose to comply with the program by either filing an NOI to get regulatory coverage as an "individual grower" under General Order R5-2013-0100 *Waste Discharge Requirements General Order for Discharges from Irrigated Lands within the Central Valley Region for Dischargers not Participating in a Third-party Group* (Individual General Order), or filing an NOI for regulatory coverage under a third-party group Order and joining the Coalition. As of the date this ACL Complaint, the Dischargers have not joined a Coalition. The Central Valley Water Board cannot compel the Discharger to join the Coalition. Economic benefit was, therefore, calculated based on the assumption that General Order R5-2013-0100 (Individual General Order) will apply to the

² Order R5-2013-0100 includes an estimate of average annual costs per acre related to that Order. The average annual costs are not used in this economic benefit analysis, since the costs represent an average cost, if the Order were applied Central Valley-wide. The cost estimates made in this analysis are based on the circumstances and facts related to these Dischargers, rather than a broad class of Dischargers.

³ US EPA Economic Benefit Model, or BEN. At the time this document was prepared, BEN was available for download at <http://www2.epa.gov/enforcement/penalty-and-financial-models>.

Dischargers.

The economic benefit was calculated based on delayed and avoided costs. Delayed costs are those costs that should have been born earlier, but that a discharger can and is still is required to pay. Avoided costs are the costs of those compliance activities, which a discharger can no longer perform, and that a discharger would have conducted had they come into compliance earlier.

The economic benefit in this case has been calculated based on the verifiable costs associated with obtaining regulatory coverage under the Individual General Order, as well as estimates of other costs that were required of the Dischargers to comply with the Individual General Order.

The State Water Resources Control Board charged a permit fee of \$1,010 plus \$6.70 per acre for farms 11 to 100 acres⁴ during the 2014-15 and 2015-16 billing year. The Dischargers have 79 acres of land irrigated for a commercial purpose, which results in an annual permit fee of \$1,539 per year. The Dischargers avoided paying these permit fees for two years.

Under the Individual General Order, the Dischargers would have been required to prepare and submit a Farm Water Quality Plan at an estimated cost of \$2,500. The Dischargers would also have needed to prepare annual monitoring plans for 2015 and 2016 at a cost of \$2,400 per year. Additionally, the Dischargers would have been required to conduct groundwater monitoring for 2015 and 2016, at an estimated cost of \$1,122 per year. The groundwater monitoring cost estimate is based on sampling one well⁵ one time for the constituents listed in the Individual Grower Order and includes labor costs and lab fees.

In summary, the estimated economic benefit associated with noncompliance is \$3,078 associated with permit fees, \$2,244 associated with groundwater monitoring, and \$7,300 associated with failure to prepare the Annual Monitoring Plans and the Farm Water Quality Plan. The total estimated economic benefit is therefore \$12,622. Using BEN, the Dischargers gained an economic benefit of \$5,678 after consideration of delayed and avoided costs.

Step 9. Maximum and Minimum Liability Amounts

a) *Minimum Liability Amount: \$6,246*

The Enforcement Policy recommends that the minimum liability amount imposed not be below the economic benefit plus ten percent. As discussed above, the Central Valley Water Board Prosecution Team's estimate of the Dischargers' economic benefit obtained from the violation is \$5,678. This number plus ten percent results in a Minimum Liability of \$6,246.

⁴ See section 2200.6 of the 2014-15 and 2015-16 Fee Schedules at http://www.waterboards.ca.gov/resources/fees/docs/fy1415_fee_schedule.pdf and http://www.waterboards.ca.gov/resources/fees/water_quality/docs/fy1516_ilrp_fees.pdf

⁵ Based on the multiple parcels listed in the ACL Complaint, staff estimates that the Discharger has two irrigation supply wells, which would be sampled once per year.

b) *Maximum Liability Amount:* **\$582,000**

The maximum administrative liability amount is the maximum amount allowed by Water Code section 13261, which is \$1,000 for each day in which the violation occurs. The Dischargers were in violation for 582 days, which results in a maximum liability of \$582,000.

Step 10. Final Liability Amount

Based on the foregoing analysis, and consistent with the Enforcement Policy, the final liability amount proposed for failure to submit a RoWD as required under Water Code section 13260 is **thirty thousand thirty dollars (\$30,030)**.

Exhibit 4

(Prosecution Team Exhibit 13)

Exhibit 5

3.82
VIN: 58733

WONDERFUL PISTACHIOS
2014 Pistachio Crop
Payment Statement
As of: 10/31/2014

Payee: GILBERT & ENEDINA MARROQUIN
For: 100.00%
Of: GILBERT AND ENEDINA MARROQUIN

Hyatt

Crop Valuation

	<u>Pounds</u>	<u>Rate</u>	<u>Value</u>
Split Inshell:	35,655	\$2.280	\$81,293
Commitment Bonus		\$0.020	\$713
Contract Bonus		\$0.010	\$357
Quantity Bonus		\$0.020	\$713
Handling Bonus		\$0.030	\$1,070
Quality Bonus		\$0.0877	\$3,130
Food Safety Bonus**		\$0.000	\$0
<small>**Potential \$.02, to be determined after Jan 2015</small>			
Sub-Total:		\$2.4477	\$87,276
Kernels from Shelling Stock:	410	\$3.600	\$1,475
Kernels from Closed Shell:	4,262	\$3.600	\$15,344
Total Edible Weight	40,327		\$104,096
Total Inshell Weight	44,999		
(Includes shell wt from Shelling Stock & Closed Shell)			

Owner's % of Crop: 100.00%
Owner's Portion of Crop: \$104,096

Total % Now Due: 100.00%
Current Amount Before Transportation Charge: \$104,096
Less: CPRB Assessment (44,999.16 × -\$0.0035 × 100.00%): (\$158)
Less: Transportation Charge (-\$3,337.00)*: (\$3,337)

*To be finalized after Jan 2015

Current Amount Due: \$103,938

Previous Payments

Regular	Loan Payment	10/31/2014	\$69,197
Regular	Interest on Loan	10/31/2014	\$3,681
Regular	Interest on Advance	10/31/2014	\$449
Regular	Interest on Advance	10/31/2014	\$557
Previous Payments subtotal:			\$73,884

Net Payment This Period: \$30,054.47

WONDERFUL PISTACHIOS
2014 Pistachio Crop
Grower Partner Bonus
As of: 10/31/2015

VIN: 58733

Payee: GILBERT & ENEDINA MARROQUIN
For: 100.00%
Of: GILBERT AND ENEDINA MARROQUIN

Crop Valuation

	Pounds	Rate	Value
Grower Partner Bonus:	35,655	\$1.030	\$36,725
GP Kernels from SS:	410	\$2.100	\$861
GP Kernels from CS:	4,262	\$2.100	\$8,951
Total Edible Weight	40,327		\$46,536
Total Inshell Weight	44,999		
(Includes shell wt from Shelling Stock & Closed Shell)			

Owner's % of Crop:	100.00%
Owner's Portion of Crop:	\$46,536
Total % Now Due:	100.00%
Current Amount Before Transportation Charge:	\$46,536
Current Amount Due:	\$46,536

Previous Payments

Bonus	Advance	1/27/2015	\$40,327
Bonus	Interest on Advance	1/27/2015	\$995
Bonus	Adjustment	10/30/2015	\$4,096
Previous Payments subtotal:			\$45,418

Net Payment This Period: \$1,118.07

March 13, 2016
11:24 PM

Wonderful Pistachios
Grower Settlement Detail

Grower: GILBERT AND ENEDINA MARROQUIN

2014 Pistachio Crop

Wgt Cert #	Grower Tag #	Date Recd	Test Type/ Harvest Method	Avg Nuts per Oz. (Ounce Count)	Gross Green Lbs	Net Green Lbs	Total Dry Lbs	Total Edibl Split Inshell Lbs	Edibl Krnls from Shllg Stck Lbs	Edibl Krnls Lbs	Total Edible Lbs	Edibl as % of Net Gm	Inshl Lbs (Edible+ Shell)	Inshl as % of Net Gm	Edibl Clsd as % of Dry	Blk as % of Dry	Edible Lt Stn as % of Split Inshell	Inshl Dry SS	Edibl as % of SI	Reject as % of Bnus	Qual Rate
Ranch Field:																					
215063	75451	9/12	O/N	23.0	25,600	23,726	9,704	6,686	43	590	7,319	30.8	7,952	33.5	12.2	16.4	0.4	75.4	0.23	0.00	.10
217159	75452	9/16	O/N	22.0	30,940	29,700	11,756	7,785	100	1,327	9,211	31.0	10,638	35.8	22.6	7.0	1.6	78.4	0.41	0.42	.10
218297	75453	9/18	O/N	21.0	30,600	29,827	11,740	8,499	63	728	9,290	31.1	10,081	33.8	12.4	10.9	0.4	79.1	0.51	0.55	.10
219381	75454	9/20	O/N	23.0	19,400	18,173	7,499	4,847	80	599	5,526	30.4	6,205	34.1	16.0	12.3	0.0	73.7	0.50	0.92	.10
220547	75455	9/23	O/N	21.0	21,360	20,242	8,388	5,063	22	562	5,647	27.9	6,230	30.8	13.4	20.3	0.0	67.3	2.14	2.17	.05
221822	75456	9/27	O/N	22.0	6,740	6,257	2,578	1,366	42	211	1,619	25.9	1,873	29.9	16.4	23.0	3.0	62.8	1.60	1.60	.07
223356	75457	10/04	O/R	20.0	12,860	11,736	4,671	1,409	60	245	1,715	14.6	2,020	17.2	10.5	51.9	6.6	36.7	3.29	5.15	.00
Ranch Field Totals:				21.7	147,500	139,661	56,337	35,655	410	4,262	40,327	28.9%	44,999	32.2%	15.1%	16.5%	0.9%	71.6%	0.83%	0.93%	.07
Grower Totals:				21.7	147,500	139,661	56,337	35,655	410	4,262	40,327	28.9%	44,999	32.2%	15.1%	16.5%	0.9%	71.6%	0.83%	0.93%	.07
GILBERT AND ENEDINA MARROQUIN																					

Exhibit 6

(Attached but provided for *in camera* review only)

Exhibit 7

(Attached but provided for *in camera* review only; **NOT TO
BE PRINTED**)

Exhibit 8

(Attached but provided for *in camera* review only; **NOT TO
BE PRINTED**)

Exhibit 9

Expenses*

Date	Description	Cost
Mar-12	Corporate America Lending Inc.	\$15,000.00
Nov-12	State of California Franchise Tax Board	\$32,557.41
Jul-14	Richgrove Produce – Lampe Law Office	\$44,245.00
Jan-14	Department of Treasury	\$13,208.12
Feb-14	Agri Valley Irrigation Inc.	\$12,845.10
Feb-14	Collection Bureau of America	\$1,748.34
May-14	Law Office of Nathen Ide	\$10,070.19
Jul-14	Harold Rollin Law Office	\$12,266.03
Jul-14	Corporate America Lending	\$125,000.00
Jul-14	J.R. Simplot Grower Solutions	\$15,104.99
Jul-14	Robert Vanderhorst Law Office	\$50,717.78
Aug-14	Judgment Enforcement Unit James E Berry Law Office	\$122,000.00
Aug-14	Witkin Neal Law Office	\$7,705.19
Sep-14	Gubler Law Office Gillespie Ag Service	\$73,265.05
Oct-14	Cal Pure Pistachio Loan	\$250,000.00
Oct-14	San Joaquin Helicopter Spraying	\$4,000.00
Nov-14	Brain Black Harvester	\$6,000.00
2014	Financial Credit Network (medical)	\$943.48
2014	Financial Credit Network (medical)	\$1,922.26
2014	Kaweah Delta Hospital (medical)	\$207.06
2014	Acclaim Credit	\$9,892.63
2014	Valley Property LLC	\$79,741.20
Jan-15	Agri Business Financial Inc.	\$57,308.13
May-15	Acclaim Credit Technologies	\$27,364.12
May-15	Button Willow Wave Hoose Chemicals	\$49,191.52
Jul-15	Cal Pure Pistachios	\$230,701.69
Sept-15	SprayCo, LLC	\$11,694.58
2015	Kaweah Delta Hospital (medical)	\$383.80
	TOTAL:	\$1,265,083.67

*These expenses were all outstanding in the approximate 2014 timeframe when the Marroquins should have obtained regulatory coverage

Exhibit 10

(Attached but provided for *in camera* review only; **NOT TO
BE PRINTED.**)

Exhibit 11

(Attached but provided for *in camera* review only)

Exhibit 12

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

AUG 19 2016

NOTICE OF INTENT (NOI)
TO OBTAIN REGULATORY COVERAGE AND COMPLY
WITH ORDER R5-2013-0120

Applicable to Irrigated Lands in the Tulare Lake Basin Area

You must complete the entire form. Submit it to the Central Valley Water Board, along with the applicable filing fee to cover administrative costs associated with processing this form. Instructions for filling out the form, filing fees, and address to mail the form are on the reverse side.

1. LANDOWNER INFORMATION:

1a. Landowner Name:

Gilbert Marroquin

1b. Landowner

Mailing Address:

V. SAHIA CALIF. 9329
5625 W PROSPECT DR

1c. Landowner Phone:

559-471-8888

1d. Landowner

Email:

G.marroquin3@yahoo.com

1e. Is the landowner also the operator of the irrigated lands operation? YES

(If Yes, skip boxes 2a-2d)

2. OPERATOR INFORMATION: (If more than one tenant operator, attach additional sheet for sections 2 and 3, including identification of parcels operated by each tenant.)

2a. Operator Name:

2b. Operator

Mailing Address:

2c. Operator Phone:

2d. Operator

Email:

2e. Name of Operation:

2f. Has the **landowner** or **operator** applied for membership in the Kaweah Basin Water Quality Association?

☒ YES

☐ NO

Member ID:

KB 2444

3. PARCEL INFORMATION: Please list parcels for which you would like to obtain regulatory coverage (attach additional sheets as needed):

Parcel Number	County	Acres of Irrigated Cropland	Crop type or other land use (such as almonds, managed wetland, pasture)
119-110-012	TULARE	66 33	Trees Pistachio
119-110-013	TULARE	33	Trees Pistachio

4. CERTIFICATION

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment for violations."

I would like to obtain regulatory coverage for waste discharges to surface water and groundwater under Order R5-2013-0120 by obtaining membership in the Kaweah Basin Water Quality Association and complying with all applicable provisions of the Order. Simultaneously with this form, I have submitted a membership application and applicable member dues to the Kaweah Basin Water Quality Association.

(4a) Signature of Landowner or Operator

(4b) Date

Gilbert Marroquin

8-17-2016

RECEIPT

DATE	August 18, 2016		No.	200486	
RECEIVED FROM	Gilbert Marraquin			\$200.00	
two hundred dollars				DOLLARS	
<input type="radio"/> FOR RENT					
<input checked="" type="radio"/> FOR	NOI 119-110-012				
ACCOUNT			<input checked="" type="radio"/> CASH	FROM	TO
PAYMENT			<input type="radio"/> CHECK		
BAL. DUE			<input type="radio"/> MONEY ORDER	BY	

1182

Exhibit 13

Member ID KB2444



KAWEAH BASIN
WATER QUALITY ASSOCIATION

POST DEADLINE

Membership Application

Participant/Company Gilbert & Eneidia Contact Name _____

Business Address Marroquin 5625 W. Prospect Dr.

Mailing Address Same

City, State, Zip Visalia, CA 93291 Email Address gmarroquin3@yahoo.com

Telephone Number (559) 471-8888 Mobile Number _____

You are required to maintain a hard- or electronic-copy of the General Order at your farm headquarters and be familiar with its contents. **Please select the option** you are choosing to comply with this requirement:

☐ I will download the General Order document from

<http://www.kaweahbasin.org/files/r5-2013-0120.pdf>

☒ Please send me a copy of the General Order via mail. (Add \$25.00 to Membership Dues for printing and mailing.)

Please check the box, to signify compliance with the noticing requirement.

☐ I certify that I have provided written notice to all landowner(s) and/or lessee(s) of my enrollment in the Kaweah Basin Water Quality Association under the General Order and notified them of the requirements of the General Order. N/A

- The undersigned owner and/or operator (Member) of irrigated farmland located within the geographic boundaries of the Kaweah Basin Water Quality Association (Kaweah Basin or KBWQA) understands that the Central Valley Regional Water Quality Control Board (Water Board) has recently issued a Notice of Applicability (NOA) to the KBWQA as an approved Third-Party for administering the terms and conditions in the Waste Discharge Requirements General Order (General Order) for Growers in the Tulare Lake Basin Area who elect to participate in the Third Party.
- The undersigned owner/operator also understands that it is his/her responsibility to know and understand the terms and conditions contained in the General Order, and that failure to comply with the General Order terms and conditions may subject the owner/operator to removal from the KBWQA, and potentially could subject the owner/operator to enforcement action taken by the Water Board.
- The undersigned Member understands that the contact person information provided to KBWQA is authorized to provide access to the enrolled property for inspections by the Water Board and KBWQA staff. This requirement provides a procedure to enable staff to contact grower representatives so that it may more efficiently monitor compliance with the provisions of this Order.
- With these understandings, the undersigned owner/operator hereby elects to participate as a Member in the KBWQA for the parcels and acreage identified in the 2014 Participant Invoice, in relation to the specific parcels identified in this Application, and hereby elects to comply with the requirements set forth in the General Order, and as established by KBWQA, including but not limited to those requirements described in the attached "Grower Requirements". Owner/operator understands that acreage fees are collected to cover State Water Resources Control Board SWRCB fees and the costs of the Third-Party administering the Association activities required to fulfill the obligations contained in the General Order. A detailed accounting of activities covered by the acreage and participation fees will be made available to Coalition members periodically, and are available to all Association members upon request.
- Owner/operator acknowledges that: i) KBWQA's ability to provide Third-Party coverage under the General Order is subject to the ongoing discretion of the Central Valley Water Board, and therefore coverage under the General Order cannot be warranted or guaranteed; ii) that the Water Board may under certain circumstances terminate or suspend KBWQA as an accepted Third-Party; iii) that KBWQA may withdraw as a Third-Party qualified to provide coverage under the General Order; and iv) that fees or costs may need to be increased in order to maintain Third-Party status and coverage for the participating owner/operators of KBWQA.
- By submitting this application and participating in the Irrigated Lands Regulatory Program, KBWQA Member is not waiving any of its rights to assert it is not subject to the General Order and/or not a "discharger of waste." The Member further acknowledges the fees and dues paid through this application are made to comply with the Water Board's mandates, are being paid voluntarily to comply with the General Order, and are not imposed by the KBWQA or its Members.
- The Owner/Operator, upon ten (10) days prior written notice to the KBWQA may withdraw its election to participate. Upon withdrawal, Owner/Operator will no longer be entitled to coverage as a participant of the Association.
- Owner/Operator understands that through this Application, Owner/Operator is applying for Membership in the KBWQA, and that such Membership is governed by the Bylaws of the KBWQA, which may be obtained from KBWQA upon request.

Gilbert Marroquin
Member Signature

Aug 10-2016
Date

Post deadline applicants are required to also apply through the Central Valley Regional Water Quality Control Board. Once we receive your completed application, you will receive additional instructions.

Complete & return forms with payment to Kaweah Basin WQA, P.O. Box 2840, Visalia, CA 93279



CONSENT TO ELECTRONIC TRANSMISSION

As a member of the KAWEAH BASIN WATER QUALITY ASSOCIATION (KBWQA) (and/or a director on the Board of Directors of KBWQA), you must provide written consent in order to receive official communications from, and to send official communications to, KBWQA via electronic transmission (fax or email).

This consent form will allow KBWQA to send you meeting notices, ballots, and handle other official business that requires member or Board approval, by electronic transmission (fax or email). It also allows you to send the same types of information to KBWQA via fax or email.

Before signing this consent form, please review and be aware of the following:

1. You are not required to sign this form. You may request that meeting notices, ballots, and other matters of official business be sent to you via regular mail.
2. You have the right to withdraw your written consent at any time after signing this form by providing KBWQA with notice that you are withdrawing your consent relative to electronic transmission. No fee will be charged for withdrawing your consent.
3. This consent to electronic transmission is broad, and may include transmission of meeting notices, ballots, and other important information regarding KBWQA. It also allows KBWQA to conduct meetings via electronic transmission, although that will not be a frequent occurrence. This consent form represents consent under both California Corporations Code 20 and 21 (transmission from and to KBWQA). This consent form also meets the requirements for consent under the federal Electronic Signatures in Global and National Commerce Act (15 U.S.C. Sec. 7001 (c)(1)).
4. Consenting to electronic transmission via fax requires that you have access to a fax machine and have a current fax number on file with KBWQA.
5. Consenting to electronic transmission via email requires that you have access to a computer, have a current email account in your name, and have provided your current email address to KBWQA.
6. All contact information will be for use only by KBWQA.

The undersigned KBWQA member and/or director has read and understands the foregoing, and hereby provides this unrevoked written consent to receive and send information, including but not necessarily limited to meeting notices, ballots, and other information regarding KBWQA, via electronic transmission (fax and/or email), until such time as this consent is revoked in writing. This consent also allows KBWQA to conduct meetings via electronic transmission, though that may not occur.

Signature: *Gilbert Marroquin* Date: 8/10/2014

Name: Gilbert Marroquin (please print)

KBWQA Voting Member? ☒ Director on the KBWQA Board of Directors? ☐ Both? ☐

*Email address: gmarroquin3@yahoo.com

*Phone Number: 559-471-8888 *Fax Number: _____

PLEASE MAIL SIGNED ORIGINAL OF THIS FORM TO:

Kaweah Basin Water Quality Association (KBWQA)
P.O. Box 2840
Visalia, CA 93279

**Please indicate if you do not have access to (or do not want) this type of transmission. If this form is not completed and returned, then the mailing address provided on the Membership Application will be used.*



Post Deadline Member – 2016 Late Fee
Irrigated Acreage Worksheet
 (Complete and Return Form to Kaweah Basin Water Quality Association)

Assessor's Parcel Number (APN)	Irrigated Acreage (Acres)	Check Applicable Box		Owner or Operator Contact Information (If not the same as Member)	
		Member is APN Owner	Member is APN Operator		
119-110-02	33			Name	
				Address	
				City, State, Zip	
				Phone No.	
119-010-03	32			Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	

Sum of Above Irrigated Acreage

65

X \$7.20/acre =

\$ 468.00

Total Acreage Fee (Late Fee Included)

+

\$50.00

Program Management Fee (per member)

+

0

General Order Hardcopy (add \$25.00)

=

\$ 518.00

Total Due

Copy this Worksheet for Additional Parcels

Make Check Payable to:

Kaweah Basin Water Quality Association



Post Deadline Member – 2015 Late Fee
Irrigated Acreage Worksheet
 (Complete and Return Form to Kaweah Basin Water Quality Association)

Assessor's Parcel Number (APN)	Irrigated Acreage (Acres)	Check Applicable Box		Owner or Operator Contact Information (If not the same as Member)	
		Member is APN Owner	Member is APN Operator		
119-110-012	33	X	X	Name	
				Address	
				City, State, Zip	
				Phone No.	
119-110-013	32	X	X	Name	
				Address	
				City, State, Zip	
				Phone No.	
119-110-014				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	

Sum of Above Irrigated Acreage

65

X \$9.00/acre =

\$ 585

Total Acreage Fee (Late Fee Included)

+

\$50.00

Program Management Fee (per member)

+

0

General Order Hardcopy (add \$25.00)

=

\$ 635.00

Total Due

Copy this Worksheet for Additional Parcels

Make Check Payable to:

Kaweah Basin Water Quality Association



Post Deadline Member – Irrigated Acreage Worksheet
 (Complete and Return Form to Kaweah Basin Water Quality Association)

Assessor's Parcel Number (APN)	Irrigated Acreage (Acres)	Check Applicable Box		Owner or Operator Contact Information (If not the same as Member)	
		Member is APN Owner	Member is APN Operator		
119-110-012	33	X	X	Name	
				Address	
				City, State, Zip	
				Phone No.	
119-110-013	32	X	X	Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	
				Name	
				Address	
				City, State, Zip	
				Phone No.	

Sum of Above Irrigated Acreage

65

X \$12.60/acre =

\$ 819.00

Total Acreage Fee (Late Fee Applies)

+ \$100.00

Program Management Fee (per member)

+ 25.00

General Order Hardcopy (add \$25.00)

Make Check Payable to:

Kaweah Basin Water Quality Association

= **\$ 944.00**

Total Due

Exhibit 14

Farm Evaluation

Part A – General Farm Practices

Member Name: Gilbert Marroquin Coalition Member ID#: KB2444

1. Pesticide Application Practices (check all that apply)

- | | |
|---|---|
| <input checked="" type="checkbox"/> County Permit Followed | <input type="checkbox"/> Monitor Wind Conditions |
| <input checked="" type="checkbox"/> Follow Label Restrictions | <input type="checkbox"/> Use Appropriate Buffer Zones |
| <input type="checkbox"/> Sensitive Areas Mapped | <input type="checkbox"/> Use Vegetated Drain Ditches |
| <input checked="" type="checkbox"/> Attend Trainings | <input type="checkbox"/> Monitor Rain Forecasts |
| <input type="checkbox"/> End of Row Shutoff When Spraying | <input checked="" type="checkbox"/> Use PCA Recommendations |
| <input type="checkbox"/> Avoid Surface Water When Spraying | <input type="checkbox"/> Chemigation |
| <input type="checkbox"/> Reapply Rinsate to Treated Field | <input type="checkbox"/> No Pesticides Applied |
| <input type="checkbox"/> Target Sensing Sprayer used | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Use Drift Control Agents | <input type="checkbox"/> Other _____ |

2. If you have one or more nutrient management plans, who helped prepare the plan? (Check all that apply)

- | | |
|--|---|
| <input type="checkbox"/> Certified Crop Advisor (CCA) | <input type="checkbox"/> Independently Prepared by Member |
| <input checked="" type="checkbox"/> Pest Control Advisor (PCA) | <input type="checkbox"/> UC Farm Advisor |
| <input type="checkbox"/> Certified Technical Service Providers by NRCS | <input type="checkbox"/> None of the above |
| <input type="checkbox"/> Professional Soil Scientist | |
| <input type="checkbox"/> Professional Agronomist | |

3. Complete Part E on sediment and erosion control practices used on farm field(s).

4. Does your farm have the potential to discharge sediment to off-farm surface waters?

Circle One: Yes No

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel or represented Members properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment for violations.

Gilbert Marroquin
Signature

Gilbert Marroquin
Printed Name

Aug-10-2016
Date

Farm Evaluation

Part B – Irrigation Well Information

If you have no irrigation wells, please check "No" for Questions 1 and 2

1. Do you have any irrigation wells on parcels associated with this Farm Evaluation? ☒ Yes ☐ No
2. Are you aware of any known abandoned irrigation wells associated with this Farm Evaluation? ☐ Yes ☒ No
3. For abandoned wells, mark the location of these wells on the attached map(s) or your own farm map with a unique Well ID of your choice and fill in the following table. For each well, be sure to fill in the table with the Well ID that corresponds to the map and put an "X" next to the practices that apply to the individual well. If the well has been abandoned, indicate the approximate year the well was abandoned (write "Unk" if the year is unknown) and mark how the well was abandoned:

Farm Well ID	Wellhead Protection						Abandoned Wells				Observation/Monitoring Well – Year Modified
	Cement Pad	Ground Sloped Away from Wellhead	Standing Water Avoided Around Wellhead	Good "Housekeeping" Practices*	Air Gap (for non-pressurized systems)	Backflow Preventive / Check Valve	If Abandoned, Year Abandoned	Destroyed – Certified by County	Destroyed by Licensed Professional	Destroyed - Unknown Method	
Well No. 1	X	X	X	X		X					

*Good housekeeping practices include keeping the area surrounding the wellhead clean of trash, debris and any empty containers.

Comments: _____

Part C – Field Specific Evaluation

Member Name: _____ Coalition Member ID#: _____

1. Identify the Parcels and Fields that this survey addresses on the blank lines below. **Fill out a separate survey for parcels/fields with different practices. Vulnerability will be determined by the Coalition. If vulnerability is unknown at this time, do not check the boxes in Question 1.**

- SW High Vulnerability is when a parcel is within an area covered by a Surface Water Management Plan.
- GW High Vulnerability is areas having potential for groundwater contamination.

High Vulnerability		Crop	Field ID	Acres	Parcel (APN)
SW	GW				
<input type="checkbox"/>	<input type="checkbox"/>	Pistachios	Field 1	33	119-110-012
<input type="checkbox"/>	<input type="checkbox"/>	Pistachios	Field 2	32	119-110-013
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____

2. Irrigation Practices (A secondary system could be used for crop germination, frost protection, crop cooling, etc.).

Primary (check one)		Secondary (if applicable, check one)	Not Irrigated
<input checked="" type="checkbox"/> Drip		<input type="checkbox"/> Drip	<input type="checkbox"/> Fallow
<input type="checkbox"/> Micro Sprinkler		<input type="checkbox"/> Micro Sprinkler	<input type="checkbox"/> Dry Farming
<input type="checkbox"/> Sprinkler		<input type="checkbox"/> Sprinkler	
<input type="checkbox"/> Border Strip		<input type="checkbox"/> Border Strip	
<input type="checkbox"/> Furrow		<input type="checkbox"/> Furrow	
<input type="checkbox"/> Flood (Level Basin)		<input type="checkbox"/> Flood (Level Basin)	

3. Irrigation Efficiency Practices (check all that apply)

- | | |
|---|--|
| <input checked="" type="checkbox"/> Laser Leveling | <input type="checkbox"/> Soil Moisture Neutron Probe |
| <input type="checkbox"/> Use of ET in scheduling irrigations | <input type="checkbox"/> Pressure Bomb or other plant moisture feedback device |
| <input checked="" type="checkbox"/> Water application scheduled to need | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Use of soil moisture probe (e.g. irrometer or tensiometer) | <input type="checkbox"/> Other _____ |

4. Nitrogen Management Methods to Minimize Leaching Past the Root Zone (check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Cover Crops | <input checked="" type="checkbox"/> Irrigation Water N Testing |
| <input checked="" type="checkbox"/> Split Fertilizer Applications | <input checked="" type="checkbox"/> Fertigation |
| <input checked="" type="checkbox"/> Soil Testing | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Tissue/Petiole Testing | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Variable Rate Applications using GPS | <input type="checkbox"/> Do not apply nitrogen |

Part D – Farm Map

(Keep Onsite- For Inspection Purposes Only)

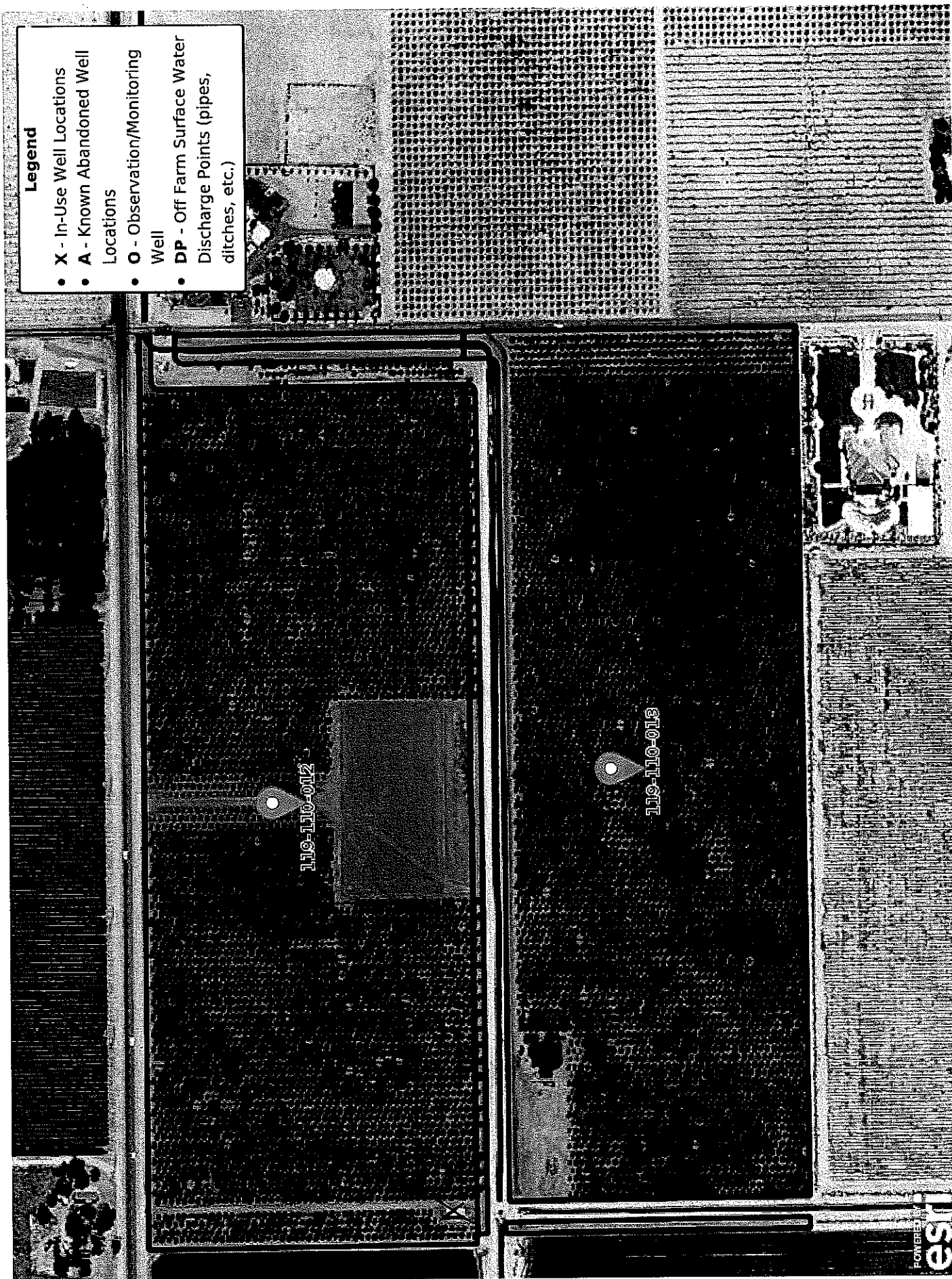
Draw/Develop a map in the space below describing your farm operation including information such as parcel layout, crops grown, and irrigation infrastructure (wells, pipes, ditches, surface water discharge points etc.). Update any well locations, field boundaries and surface water discharge points if they change in the future.

Legend

- X – In-Use Well Locations
- A – Known Abandoned Well Locations
- O – Observation/Monitoring well
- DP – Off Farm Surface Water Discharge Points
(pipes, ditches, etc.)

Legend

- X - In-Use Well Locations
- A - Known Abandoned Well Locations
- O - Observation/Monitoring Well
- DP - Off Farm Surface Water Discharge Points (pipes, ditches, etc.)



Part E – Sediment & Erosion Control Practices

Member Name: _____ Coalition Member ID#: _____

1. Identify the Parcels and Fields that this survey addresses on the blank lines below. Fill out a separate survey for parcels/fields with different practices. Vulnerability will be determined by the Coalition. If vulnerability is unknown at this time, do not check the boxes in Question 1.

High Vulnerability		Crop	Field ID	Acres	Parcel (APN)
SW	GW				
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____	_____	_____	_____

2. Irrigation Practices for Managing Sediment and Erosion (check all that apply)

- ☒ No irrigation drainage due to field or soil conditions.
- ☐ In-furrow dams are used to increase infiltration and settling out of sediment prior to entering the tail ditch.
- ☒ The time between pesticide applications and the next irrigation is lengthened as much as possible to mitigate runoff of sediment bound pesticide residue.
- ☐ Shorter irrigation runs are used with checks to manage and capture flows.
- ☐ PAM (polyacrylamide) used in furrow and flood irrigated fields to help bind sediment and increase infiltration.
- ☒ Use drip or micro-irrigation to eliminate irrigation drainage.
- ☐ Use of flow dissipaters to minimize erosion at discharge point.
- ☐ Tailwater Return System.
- ☐ Catchment Basin.
- ☐ Other: _____

3. Cultural Practices for Managing Sediment and Erosion (check all that apply)

- ☒ No storm drainage due to field or soil conditions.
- ☐ Storm water is captured using field borders.
- ☐ Vegetated ditches are used to remove sediment as well as water soluble pesticides, phosphate fertilizers and some forms of nitrogen.
- ☐ Vegetative filter strips and buffers are used to capture flows.
- ☐ Sediment basins / holding ponds are used to settle out sediment and hydrophobic pesticides such as pyrethroids from irrigation and storm runoff.
- ☐ Cover crops or native vegetation are used to reduce erosion.
- ☐ Hedgerows or trees are used to help stabilize soils and trap sediment movement.
- ☐ Soil water penetration has been increased through the use of amendments, deep ripping and/or aeration.
- ☐ Crop rows are graded, directed and at a length that will optimize the use of rain and irrigation water.
- ☐ Creek banks and stream banks have been stabilized.
- ☐ Subsurface pipelines are used to channel runoff water.
- ☐ Berms are constructed at low ends of fields to capture runoff and trap sediment.
- ☐ Minimum tillage incorporated to minimize erosion.
- ☐ Field is lower than surrounding terrain.
- ☐ Field is terraced or benched to reduce excessive slopes.
- ☐ Other: _____

Farm Evaluation Survey

Overall Instructions

There are four, one page "parts" of the Farm Evaluation Survey to complete, and Farm Map that will help you identify parcel numbers, field IDs, and where you will mark the location of active and abandoned wells:

- Part A: General Farm Practices; complete once (1 page).
- Part B: Irrigation Well Information; complete *one page for each membership or farm*.
- Part C: Field Specific Evaluation; complete *one page for each field or management unit*.
- Part D: Farm Map(s); identify the location of wells listed in Part B and *keep on farm*.
- Part E: Sediment and Erosion Control Practices; complete *one page for each field or management unit*.

You may need to make copies of Parts B, C, and E of the survey and complete separate surveys for each of your fields that are managed differently or have different crops. See detailed instructions on the following pages.

If all parcels/fields listed have the same practices, fill out one (1) survey for all enrolled parcels and return to the Coalition.

If parcels/fields have different practices, make copies of the survey* and fill out one (1) survey for each parcel/field with different practices.

**For example, if a member has 3 parcels enrolled with one crop grown (Parcel A, B, and C), and he manages Parcel A and B the same, he can fill out one survey for Parcels A and B. Another survey needs to be filled out for Parcel C to record the crops or practices that differ from A and B.*

Step by Step Instructions

The Farm Evaluation has 5 components:

- Part A: General Farm Practices
- Part B: Irrigation Well Information
- Part C: Specific Field Evaluation
- Part D: Farm Map(s)
- Part E: Sediment & Erosion Control Practices

Step 1: Part A: answer Questions 1 – 4 for all enrolled parcels.

Step 2: Part B: Answer Questions 1 and 2 pertaining to irrigation well information. For Question 3, give each well a unique identifier (Well ID) and list that in column 1 of the table shown. Use the Well ID to link the well management practices to the wells identified on the map. Also identify the location of both active and abandoned wells on the map. Transfer that identifier to the Farm Map (Part D) and keep the map in your files (do not return to the Coalition). The map with well identifiers must be produced if you ever have a Regional Water Board compliance inspection.

Step 3: Part C, Question 1: Identify the Parcels and Fields that the survey addresses on the blank lines provided. Use the attached farm map(s) to help identify parcel numbers including Field IDs. This information corresponds to the map(s) in Part D. Fill in any missing information. Remember to fill out a survey for each of your enrolled parcels.

Step 4: Part C: Complete Question 1 (table). Answer Questions 2 – 4 for parcels that you identified at the top of the page. *If parcels or fields differ in their practices, you must make a copy of the page to answer questions for parcels/fields differently.*

Step 5: Part D: Draw/Develop a Farm Map describing your agricultural operation.

Step 6: Part E: Answer questions as you did in Part C in reference to parcels that you identified at the top of the page. *If parcels or fields differ in their practices you must make a copy of the page to answer questions for parcels/fields differently.*

Step 7: Review the Farm Map (Part D) of your enrolled parcels and make any necessary changes to parcel or field boundaries. For example, a parcel may be enrolled and assigned to a member; however the acreage enrolled is only part of the entire parcel. If you need to update the parcel boundaries, return a copy of the updated map to the Coalition with your Farm Evaluation so the information is linked to the correct piece of land.

Step 8: Sign the bottom of Part A to certify that all of the information provided is current and accurate. Return the signed Farm Evaluation to the Coalition (Part A – Part E) and Farm map(s) (Part D, if updated with new information).

Farm Evaluation - Master Crop List (Kaweah Basin WQA)

Crop Type	Definition
Alfalfa - Hay	
Alfalfa - Green Chop	
Alfalfa - Seed	
Almonds	
Avocados	
Berries - Strawberries	
Berries - Cane Berries	Raspberries, blackberries, other cane berries
Berries - Blueberries	
Carrots	
Cherries	
Citrus - Oranges	Navals, Valencias, other oranges
Citrus - Mandarins	
Citrus - All Others	Lemons, limes, grapefruits, pomelos, others
Corn - Grain	
Corn - Silage	
Cotton	Pima and Upland
Figs	
Grains (Small) - Hay	All small grains defined as barley, oats, wheat, sorghum, triticale, milo, safflower, sunflower, other
Grains (Small) - Green Chop	
Grains (Small) - Seed	
Grapes - Raisins	
Grapes - Table	
Grapes - Wine	
Grasses - Hay	Sudan grass, bermuda, orchard grass, other
Grasses - Green Chop	
Kiwifruit	
Melons & Pumpkins	
Nursery Crops	Grown in pots or field grown
Olives	
Pasture	
Pistachios	
Pome Fruits	Apples, pears, Asian pears, persimmons
Pomegranates	
Potatoes	Include sweet potatoes, yams
Rice	
Stone Fruit	Apricots
Stone Fruit	Peaches & Nectarines
Stone Fruit	Plums, Pluots, Prunes
Sugarbeets	
Tomatoes - Processing	
Tomatoes - Fresh	
Vegetables - Leafy	Lettuce, cabbage, spinach
Vegetables - Mixed	Broccoli, cauliflower, sweet corn, peppers, beans, peas, eggplant, onions, garlic, herbs, squash, turnips, other
Walnuts & Pecans	
Other Crops	Any other crops not listed
Fallow	Not cropped or irrigated
Transition Field	Parcel was recently purchased and prior year crop is unknown.

This list provides a concise crop type grouping of over 300 crops grown in the Central Valley. These groupings provide a consistent crop category for reporting purposes. If you have a crop that does not fit these categories and is sizable in acreage, please contact the KBWQA with the crop type and acreage, and we will consider adding the crop.